

Assembly Bill No. 1292

Passed the Assembly July 14, 2008

Chief Clerk of the Assembly

Passed the Senate July 2, 2008

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2008, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 3023.5 to the Elections Code, relating to vote by mail voters.

LEGISLATIVE COUNSEL'S DIGEST

AB 1292, Mendoza. Vote by mail voters: ballot materials.

Existing law provides that candidates for statewide elective office or for the Assembly or Senate who accept voluntary expenditure limits, or candidates for nonpartisan, local elective office, may purchase space to place a candidate's statement that will be included in the state ballot pamphlet or the sample ballot of the local jurisdiction that is sent to all registered voters prior to any local or statewide primary or general election. Existing law also requires that each vote by mail ballot that is delivered pursuant to specified provisions be accompanied by a ballot pamphlet, unless the voter has already been provided with a ballot pamphlet.

This bill would additionally require that a vote by mail ballot that is sent to vote by mail voters be accompanied by the candidates' statements for the Assembly or Senate and local nonpartisan elective offices, unless the voter has registered to vote by mail after the 29th day prior to the election or the voter has already been provided with these candidates' statements. By increasing the duties of local elections officials, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The people of the State of California do enact as follows:

SECTION 1. Section 3023.5 is added to the Elections Code, to read:

3023.5. (a) Except as provided in subdivision (b), in addition to the information required by Section 3023, each ballot that is delivered pursuant to this chapter shall be accompanied by the candidates' statements submitted pursuant to Section 13307 of this code and subdivision (c) of Section 85601 of the Government Code.

(b) This section does not require an elections official to provide these candidates' statements to voters who have registered to vote by mail after the 29th day prior to the election or to voters who have already been provided these candidates' statements.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Approved _____, 2008

Governor